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REMARKS

Claims 1 and 28 have been amended herein. Claim 1 and 28 have been reformatted for clarity. Upon entry of this amendment, claims 1, 2, 4, 5, 8-20, and 22-28 will be pending in the above-identified application.

Obviousness-type Double Patenting

Claims 1, 2, 4, 5, 8-20 and 24-28 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-38 and Figure 2 of U.S. Patent No. 6,309,726 (Ono).

Claims 1 and 28 have been amended so claims 1, 2, 4, 5, 8-20, and 24-28 recite "the perfluoropolyether group R_f is represented by the formulas (3), (4), (5), and/or (6):



(formula 3)



(formula 4)



(formula 5)



(formula 6)

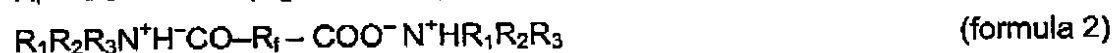
where i , j , m , n , p and q denote integers not less than 1." Ono does not disclose or suggest this element. Accordingly, claims 1, 2, 4, 5, 8-20, and 24-28 are patentably distinct from claims 1-38 and Figure 2 of Ono. Applicants therefore request the obviousness-type double patenting rejection be withdrawn.

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Section 103 - Kondo, Aratani and Kawakubo

Applicants respectfully request reconsideration of the rejection of Claims 1, 2, 4, 5, 8, 9, 11, 14-16, 18, 19, and 22-28 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,536,425 (Kondo) in view of U.S. Patent No. 6,063,468 (Aratani) and further in view of U.S. Patent No. 6,246,656 (Kawakubo).

Claims 1, 2, 4, 5, 8, 9, 11, 14-16, 18, 19, and 22-27 recite a disc-shaped optical recording medium comprising, among other things, a surface layer formed of an amine salt compound held on the surface of the light transmitting layer, wherein the amine salt compound is a compound of perfluoropolyether having terminal carboxylic groups, represented by the chemical formulas (1) and/or (2):



where R_f denotes a perfluoropolyether group and R_1 , R_2 and R_3 denote hydrogen or a hydrocarbon group, and *wherein the perfluoropolyether group R_f is represented by the formulas (3), (4), (5), and/or (6):*



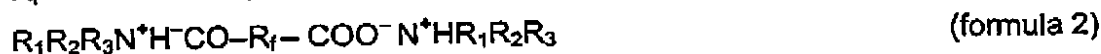
where i , j , m , n , p , and q denote integers not less than 1.

Kondo, Aratani, and Kawakubo, considered alone or in combination, do not disclose or suggest a perfluoropolyether group represented by the formulas (3), (4), (5),

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and/or (6) of the claims. Accordingly, the Section 103 rejection of claims 1, 2, 4, 5, 8, 9, 11, 14-16, 18, 19, and 22-27 is improper and should be withdrawn.

Claims 28 recites a disc-shaped optical recording medium comprising, among other things, a surface layer formed of an amine salt compound having a predetermined hardness and held on the surface of the light transmitting layer, wherein the amine salt compound is a compound of perfluoropolyether having terminal carboxylic groups, represented by the chemical formulas (1) and/or (2):



where R_f denotes a perfluoropolyether group and R_1 , R_2 and R_3 denote hydrogen or a hydrocarbon group, and wherein the perfluoropolyether group R_f is represented by the formulas (3), (4), (5), and/or (6):



where i , j , m , n , p , and q denote integers not less than 1.

As discussed above, Kondo, Aratani and Kawakubo, considered alone or in combination, do not disclose or suggest a perfluoropolyether group represented by the formulas (3), (4), (5), and/or (6) of claim 28. Accordingly, the Section 103 rejection of claim 28 is improper and should be withdrawn.

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Applicants respectfully request reconsideration of the rejection of claims 10, 12, 13, 17, and 20 under 35 U.S.C. 103(a) as being unpatentable over Kondo in view of Aratani in view of Kawakubo, and further in view of U.S. Patent No. 5,864,357 (Akutsu).

Claims 10, 12, 13, 17, and 20 recite a disc-shaped optical recording medium comprising, among other things, a surface layer formed of an amine salt compound held on the surface of the light transmitting layer, wherein the amine salt compound is a compound of perfluoropolyether having terminal carboxylic groups, represented by the chemical formulas (1) and/or (2):



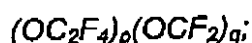
where R_f denotes a perfluoropolyether group and R_1 , R_2 and R_3 denote hydrogen or a hydrocarbon group, and *wherein the perfluoropolyether group R_f is represented by the formulas (3), (4), (5), and/or (6):*



(formula 4)



(formula 5)



(formula 6)

where i , j , m , n , p and q denote integers not less than 1.

Kondo, Aratani, Kawakubo, and Akutsu, considered alone or in combination, do not disclose or suggest a perfluoropolyether group represented by the formulas (3), (4), (5), and/or (6) of the claims. Accordingly, the Section 103 rejection of claims 10, 12, 13, 17, and 20 is improper and should be withdrawn.

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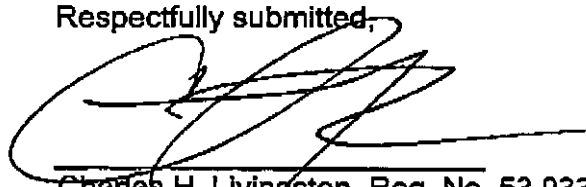
CONCLUSION

If the Examiner believes that there is any issue which could be resolved by an interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

As the application is believed to be in condition for allowance, a favorable action and Notice of Allowance are respectfully requested.

Dated:

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'CHL', written over a horizontal line.

Charles H. Livingston, Reg. No. 53,933
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314.259.5822